

**At a Regular Meeting of the Town Council of the Town of Middletown,
RI held at the Middletown Town Hall on Monday, May 19, 2014 at 5:30
P.M.**

Council President Christopher T. Semonelli, Presiding

Vice President Robert J. Sylvia

Councillor Richard P. Adams

Councillor Bruce J. Long, arrives at 5:32 pm

Councillor Paul M. Rodrigues, arrives at 5:32 pm

Councillor M. Theresa Santos

Councillor Barbara A. VonVillas, Members Present

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

There were no reconsiderations.

5:30 P.M. – BUDGET

1. Review of FY 2014–2015 Proposed Budgets – Community Services (Middletown Prevention Coalition), Public Safety & Non-Department specific, Parks and Recreation (Beach), Tax Assessor, and Town Clerk and matters related thereto.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to begin review of Community Services (Middletown Prevention Coalition), Public Safety & Non-Department specific, Parks and Recreation (Beach), Tax Assessor, and Town Clerk budgets.

Tax Assessor

Tax Assessor George Durgin addressed the Council reviewing the following, entered

here:

Discussion centered around the statistical revaluation, merger of the tax assessor and tax collection offices, full revaluation in 2017 and contract with Vision Appraisal.

Fire Department

Fire Chief Ronald Dorie and Administrative Assistant Susan Lentz were present to answer Council questions.

Town Administrator Shawn Brown reviewed the following, entered

here:

Discussion centered around employee overtime, vacancies, training schedule, pension increase, decrease in longevity, special service pay, electricity costs and differential pay.

Police Department

Police Chief Anthony Pesare and Administrative Assistant Lisa Sisson were present to answer Council questions.

Police Chief Anthony Pesare addressed the Council reviewing the following, entered

here:

Discussion centered around employee overtime, grant funding, cost of new police officers, pension increase from state retirement,

pension reform, vacancies, resignations, retirements, Municipal Police Academy, Community Police Officers, cost to maintain department records, Animal Control, Potter League for Animals, citations issued, CALEA Accrediation and vehicles.

Parks and Recreation (Beach)

Public Works Director Tom O'Loughlin and Recycling Coordinator Operations & Facilities Manager Will Cronin were present to answer Council questions.

Public Works Director Tom O'Loughlin addressed the Council reviewing the following, entered

here:

Discussion centered around kayak racks, boat trailer (Harbor Master), equipment rental, campground waiting list, mooring waiting list,

waiting list policy, Hurricane Sandy grant, Beach fund balance and beach yearly income.

Middletown Prevention Coalition

Middletown Prevention Coalition Coordinator Lori Verderosa was present to answer Council questions.

Middletown Prevention Coalition Coordinator Lori Verderosa addressed the Council reviewing the following, entered

here:

Discussion centered around a decrease from State RISAPA budget, federal and state grants, expenses related to grants and the effectiveness of programs provided by the Middletown Prevention Coalition.

Town Clerk

Town Clerk Wendy J.W. Marshall was present to answer Council questions.

The Town Clerk's proposed budget is entered

here:

Discussion centered around budget increases due to the September Primary Election and November General Election, advertising costs, amount of workers for the elections and office staffing.

Non-Department Specific

**Town Administrator Shawn Brown reviewed the following, entered
here:**

Discussion centered around Capital projects, housing aid money to the School Department and a large savings recognized from Hydrant service.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to recess this meeting at 6:55 p.m.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to reconvene this meeting at 7:08 p.m.

PUBLIC FORUM SESSION

2. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.

No one spoke during this session.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to move items #41, #39 and #40, presently under the Town Council portion of the agenda, to the presentation portion of the agenda, to be addressed in this order.

PRESENTATIONS

3. Continued from Regular Meeting, May 5, 2014.

Resolution of the Council, re: Commendation for Charles Paul LaMond.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to continue said resolution to the next regular meeting June 2, 2014.

4. “PUSH” Youth Group Initiatives - Students involved with the Middletown Prevention Coalition. (No Documentation)

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to begin said presentation.

Middletown Prevention Coalition Coordinator Lori Verderosa, and Middletown High School Students Alexa Simard, Co-Chair of PUSH, Anna Leffel, Co-Chair of PUSH and Alondra Estevez, Secretary of

PUSH, presented a power point presentation showing their participation in the RI Zombie Walk at the State Capitol and other activities the group participated in throughout the year. The presentation outlined the

following:

5. The “Green Team” – 7th Grade Students engaged in developing an ecologically friendly environment at the Gaudet School entrance on Aquidneck Avenue. (No Documentation)

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to begin said presentation.

Jennifer Lamond, 7th Grade School Teacher and the “TACP”, Trees Are Cool People Crew, Iris White, Vincent Terlisner, Brooke Rogers, Maddie Olynack, Peyton Mulhern Megan Mahony, Tallya Maciel, Michaela Boiani and Ian Barrera presented a power point presentation, which is on file in the Office of the Town Clerk.

Item #41 was addressed at this time.

6. Memorandum of Charlene Cirillo, Chair Beach Facility Advisory Committee, re: Report of the Beach Facilities Advisory Committee.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said memorandum and report.

Charlene Cirillo, Chair and Members Peter Marnane, Trish Lang and Nick Coogan reviewed the Beach Facility Advisory Committee report, entered here:

Discussion centered around the need to upgrade the Beach building, Sachuest Beach being the crown jewel of Middletown, building foot print can be increase by 25% without DEM approval, will 25% expansion of the building will meet actual needs, expansion of the

beach facility has potential to create revenue for the Town, the Beach Advisory Group to meet with the Beach Committee to create a priority list including dollars needed for the beach facility and report to the Council in a few weeks.

John Bagwill, 581 Tuckerman Avenue, addressed the Council, requesting Council to support the upgrades to the Beach Facility.

Items #39 and #40 were addressed, at this time.

PUBLIC HEARINGS

7. Public Hearing (Advertised)

Proposed amendment to the Middletown Town Charter.

Public hearing was declared open.

Councillor Adams reviewed the proposed amendment to the Middletown Town Charter – Section 201 “Number; Selection and Terms of Members”.

Mike Burke, 1st Vice President of the RI City and Town Democratic Party, addressed the Council noting that he believes in the Party system, explaining that it gives a candidate a platform to run for office.

Antone Viveiros, 110 Indian Hill Road, addressed the Council noting all candidates should be created equal. Mr. Viveiros explained that candidates should run on qualifications and believes the question should be brought to the voters.

William O’Connell, 18 Continental Drive, noted support for removal of the Master Lever. Mr. O’Connell explained that there is no need for

party designations on a local level.

Andy Andrade, 6 Sakonnet Terrace, addressed the Council, requesting the Council not to support non-partisan Council elections.

Mr. Andrade explained that there is no need to change to non-partisan elections, no one should have to apologize for being a democrat or republican; it is an important function in the recruitment of candidates.

Michael Kehew, 61 Indian Hill Circle, noted that if it's not broke, don't fix it. Mr. Kehew believes it will be harder to find candidates in a non-partisan election explaining, that the School Committee is non-partisan and the lack of candidates running for the Committee.

Robert M. Silva, 8 Circle Drive, addressed the Council noting the non-partisan question should be non-binding, explaining that non-partisan would have a far reaching negative effect on the community. Mr. Silva requested the Council to rethink the issue of a non-partisan Council, due to potential negative effects with nothing to gain.

Antone Viveiros, 110 Indian Hill Road, suggested the proposed amendment to the Charter be amended to non-binding.

Councillor Santos noted that the Council has been addressed by three former Council Presidents with the same requests, not to amend the Town Charter to non-partisan elections. Ms. Santos explained if it's not broke, don't fix it.

Louis DiPalma, 24 Sail Court, speaking on behalf of himself, as a Senator, as 1st Vice President of the Democratic Party and for Representative Deborah Ruggerio, addressed the Council noting that non-partisan elections make it difficult for candidates to raise money, party members motivate people to run for election and less people run for office if elections are non-partisan. Mr. DiPalma questioned what the problem is with the current system and recommends this item be tabled.

Council President Semonelli noted it is an honor to be in front of the icons of the Community. Mr. Semonelli explained that he thinks that non-partisan elections will attract more candidates, let the voters decide.

Councillor Santos explained that Democrats and Republicans work together and does not see the need for a non-partisan Council.

Councillor Long noted that the general public wants the change to non-partisan elections. Mr. Long explained the need for good honest transparency.

Councillor Adams noted that he grew up in a single party state and requests to move forward on the issue.

Coucillor Rodrigues noted that both the Democratic and Republican parties assist candidates running for office. Mr. Rodrigues questioned if there is a problem with partisan elections. Councillor

Rodrigues explained that a non-party system would impact the Town at the State and Federal levels.

Vice President Sylvia noted that out of 39 Cities and Towns in Rhode Island, only 8 have non-partisan elections. Mr. Sylvia explained that party affiliation has had a positive effect for the Town urging Council not to support non-partisan elections.

There being no other persons present desiring to be heard, public hearing was declared closed.

On motion of Councillor Adams, duly seconded, to direct the Town Solicitor to prepare an amendment for Town Council consideration at the next regular meeting

Councillor Adams explained the amendment to Section 201 to create non-partisan elections in Middletown for the Town Council a binding referendum and the Town Solicitor would prepare proper wording for

consideration

Town Solicitor Michael Miller noted that Mr. Adams is requesting him to draft language for the November ballot. Mr. Miller read the following language,

entered below, which was prepared in 2008, noting the 2014 language would not include an amendment to Council terms.

Council vote was taken, at this time, for the motion above, repeated here:

On motion of Councillor Adams, duly seconded, to direct the Town Solicitor to prepare amendment for Town Council consideration at the next regular meeting; Vice President Sylvia, Councillor Rodrigues and Councillor Santos voted NO to said motion.

8. Memorandum of Town Planner, thru Town Administrator, with

enclosures, re: FY2014 CDBG Application – Project Priorities.

Town Planner Ronald Wolanski reviewed the memorandum, entered here:

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said memorandum.

Town Planner Ronald Wolanski reviewed amendments to the resolution, item #10, entered below.

9. Public Hearing (Advertised)

Town of Middletown application for FY 2014- Small Cities Community Development Block Grant (CDBG) for certain projects, in an amount not to exceed \$250,000.,as well as an additional \$200,000 to assist Lucy's Hearth to relocate to a new facility, request not subject to the town's funding cap for the State Housing Acquisition and

Rehabilitation Program.

Public hearing was declared open.

Jeannine Casselman, Attorney-At-Law, addressed the Council regarding a request to provide funding to expand the Rhode Island Center for Law and Public Policy's monthly legal clinic to service the basic legal needs of the low and moderate income residents of the town.

There being no person present desiring to be heard, public hearing was declared closed.

10. Resolution of the Council, re: FY2014 Small Cities Community Development Block Grant – Project priorities.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to pass said resolution, as amended.

Consent items #22, #25, #27 and #28 were heard under the regular portion of the docket.

CONSENT

11. Communication of Susanne Greschner, Chief, Department of Revenue, Division of Municipal Finance, re: Acknowledgement of receipt for Notice of Proposed Property Tax Rate Change.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said communication.

12. Resolution of the Town of Barrington, re: Supporting the “It Can

Wait” campaign, which discourages texting and driving.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said resolution.

13. Application of American Promotional Events dba TNT Fireworks, 1315 West Main Road, for RENEWAL of a Holiday License for the 2014-2015 licensing year.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license renewal.

14. Application of J.A.M. Construction, 1700 West Main Road, for RENEWAL of a Drain Layer’s License for the 2014-2015 licensing year.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license renewal.

15. Application of J.A.M. Construction Co., Inc. dba J.A.M. Materials, 990 Aquidneck Avenue, for RENEWAL of a Holiday License for the 2014-2105 licensing year.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license renewal.

16. Application of Middletown Fraternal Order of Police Lodge #21, 464 Mitchell's Lane, for RENEWAL of Mechanical Amusement Device Licenses for the 2014-2015 licensing year.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license renewal.

17. Application of Johnny's Atlantic Beach, Inc. dba Johnny's Atlantic Beach Club, 53 Purgatory Road, for RENEWAL of an Amusement License for the 2014-2015 licensing year. (One Juke Box and Two Games)

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license renewal.

18. Application of HPK, Inc. dba Tickets, 15 Aquidneck Avenue, for RENEWAL of an Amusement License for the 2014-2015 licensing year.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license renewal.

19. Applications six (6) for Special Events Permits from the following named persons for events to be held at Sweet Berry Farm, Mitchell's

Lane: 1) Zuckman/Brown Rehearsal Dinner on Saturday, June 14, 2014 from 6:00 pm to 10:00 pm. 2) McGowan Family Party on Saturday, June 28, 2014 from 5:00 pm to 10:00 pm. 3) McConville/Agaua Rehearsal Dinner on Thursday, August 14, 2014 from 3:30 pm to 9:30 pm. 4) Bomze/Hurd Wedding on Sunday, September 6, 2014 from 5:00 pm to 10:00 pm. 5) Dunca/Chaikin Rehearsal Dinner on Friday, September 12, 2014 from 5:00 pm to 10:00 pm. and 6) Gray/Hertz Rehearsal Dinner on Friday, September 26, 2014 from 5:00 pm to 10:00 pm.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event Permits.

20. Application for Special Event from St. George's School, 372 Purgatory Road, Prize Day – Graduation, Dinner and Luncheon on May 25, 2014 from 5:30 pm – 7:30 pm and May 26, 2014 from 12:30 pm – 2:30 pm.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event Permit.

21.

Memorandum of Finance Director, thru Town Administrator, with enclosure, re: Disposal of School Department surplus 2003 Ford F-350.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said memorandum.

22. Resolution of the Council, re: Authorizing disposal of School Department surplus 2003 Ford F-350.

Councillor Santos inquired who receives money from surplus of the 2003 Ford F-350.

Town Administrator Shawn Brown noted that monies go to the Town.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to pass said resolution.

23. Notice of Public Hearing from the Middletown Zoning Board of Review, re: Petition of Michael Eudenbach and Jessica Pisano (owners) for a Variance from Section 603 & 701 – to construct a 24' X 30' detached accessory building with a right side yard setback of 15' where 30' is required and a rear yard setback of 10' is required on real estate located at 3 Porter Road, TAP 129, LOT 105.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said notice of public hearing.

24. Notice of Public Hearing from the Middletown Zoning Board of Review, re: Petition of Diana Harrison (owner), Natatsha Harrison (applicant) for a Variance from Section 602 to allow the conversion of

the dwelling to a two family use on real estate located at 25 Little Creek Lane, TAP 129, Lot 31.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said notice of public hearing.

25. Communication of Tax Assessor, thru Town Administrator, with enclosures, re: Cancellation of Taxes for certain Middletown Taxpayers.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said communication.

Councillor Santos questioned the sewer maintenance abatement to the James L. Maher Center.

Town Administrator Shawn Brown noted that he will research the answer.

26. Resolution of the Council, re: Cancellation of Taxes for certain Middletown Taxpayers.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to pass said resolution.

Councillor Long recused himself from acting on the following item of business, #27, due to a possible conflict of interest.

27. Communication of Tax Collector, thru Town Administrator, with enclosures, re: Cancellation of Taxes for certain Middletown Taxpayers.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said communication.

Councillor Santos questioned who's responsibility is it to review death records?

Town Administrator Shawn Brown, responding to Councillor Santos, noted that the Tax Assessor's Office reviews the death records.

Councillor Long recused himself from acting on the following item of business, #28, due to a possible conflict of interest.

28. Resolution of the Council, re: Cancellation of Taxes for certain Middletown Taxpayers.

On motion of Vice President Sylvia, duly seconded, it was voted

unanimously to pass said resolution.

LICENSES AND PERMITS

29. Application of Jesse Faria dba JAMS Pizzeria Piezonis, 876 West Main Road, for a Victualling House License for the 2013-2014 licensing year. (NEW)

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license contingent on Building Official, Fire Marshal, Public Works and Board of Health approvals.

30. Application of Troubled Soul & Company, LLC (Marc Milici), for a Tattoo License for use at premises located at 510 East Main Road, Unit 6, for the 2014-2015 licensing year. (NEW)

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to withdraw said application, at the request of the applicant.

Councillor Long recused himself from acting on the following items of business, #31 thru #34, due to a possible conflict of interest.

31. Application for Special Event Permit from the Norman Bird Sanctuary, 8th Annual 5K in honor of David Leys, Jr., begins and ends at 583 Third Beach Road, on Saturday, June 14, 2014 from 8:30 am, includes a request to waive permit fee.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event Permit and waive said fee.

32. Application for Special Event Permit from the Norman Bird Sanctuary, Clambake “Bake on the Beach” at Norman Bird Sanctuary property on Third Beach and Third Beach Education Center, on

Saturday, July 19, 2014 from 5:00 pm to 9:00 pm, includes a request to waive permit fee.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event Permit and waive said fee.

33. Application for Special Event Permit from the Norman Bird Sanctuary, “Mabel’s Table” at 583 Third Beach Road, on Saturday, August 16, 2014 from 6:00 pm to 10:00 pm, includes a request to waive permit fee.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event Permit and waive said fee.

34. Application for Special Event Permit from the Norman Bird Sanctuary, 40th Harvest Fair at 583 Third Beach Road, on Saturday, October 4, 2014 and Sunday, October 5, 2014 from 10:00 am to 5:00 pm, includes a request to waive permit fee.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event Permit and waive said fee.

35. Application for Special Event Permit from Aquidneck Island Land Trust, Fiesta Verde, Land Trust Summer Gala at Sweet Berry Farm on Saturday, July 26, 2014, from 6:00 pm to 11:00 pm, includes a request to waive permit fee.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event Permit and waive said fee.

36. Application of St. George's School, Camp Ramleh Sale at 372 Purgatory Road, on Saturday, June 14, 2014 from 8:00 am to 12:00 pm, includes a request to waive permit fee.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event Permit and waive said fee.

OTHER COMMUNICATION

Councillor Rodrigues recused himself from acting on the following item of business, #37, due to a possible conflict of interest.

Councillor Rodrigues left the dias.

37. Email communication of Kristin Keene and Michael Connole, re: Request to abandon Town paper road/right of way.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said Email communication.

Town Administrator Shawn Brown noted that there is an active application regarding the property before the Planning Board and it is not appropriate for the Council to act on this item at this time.

Kristin Keen, 9 Russett Road, addressed the Council noting that she has maintained the paper road for approximately fifteen years. Currently, there is an application to turn the road from private to public. Ms. Keen requests the road be abandoned by the Town.

TOWN COUNCIL

38. At the request of Councillor Long,

Resolution of the Council, re: Supporting S-2034 and H-7593 A Referendum Relating to the Code of Ethics.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to pass said resolution.

Councillor Rodrigues returned to the dias.

On motion of Vice President Sylvia, duly seconded, it was voted to receive items #39 and #40 together; Vice President Sylvia, Councillor Rodrigues, Councillor Santos, voted YES; Council President Semonelli, Councillor Adams, Councillor Long and Councillor VonVillas voted NO to said motion; MOTION FAILED TO PASS.

Items # 39 and #40 were addressed after item #6.

39. Memorandum of Councillor Adams and Councillor VonVillas, re: Unified High School Referendum.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said memorandum.

Councillor Adams read the memorandum above into the record.

Vice President Sylvia inquired who was on the Unified High School Committee.

Councillor VonVillas noted that the consensus at the last meeting of the Unified High School Committee consisted of Councillor Adams, Councillor VonVillas, Kellie DiPalma, William O'Connell (who left before meeting ended, but said he supported the question when leaving), Marco Camacho, Justin McLaughlin, Naomi Neville, Robert B. Power, Sandra J. Flowers.

John Haggis, 21 Bartlett Road, noted support to place a non-binding referendum on the November 2014 ballot regarding high school unification. Mr. Haggis explained that the Council should take steps

on the issue with the Town's population decreasing.

Carol Cummings, 738 Indian Avenue, spoke in opposition to a regionalized high school, noting that Middletown is on the right track.

Ms. Cummings presented the Council with several handouts, which are on file in the Office of the Town Clerk.

Antone Viveiros, 110 Indian Hill Road, addressed the Council noting the history of the High School unification topic. Mr. Viveiros explained that unification will not save money or enhance education.

Annie Tatirosian, 4 Bartlett Road, addressed the Council in support of disbanding the Unified High School Exploratory Committee. Mrs. Tatirosian explained that there is no information to make an educated decision regarding a Unified High School and requests the Council to stop unification.

Theresa Spengler, 1111 Wapping Road, Parent, Educator and School

Committee member, addressed the Council noting that the Unified High School Committee should be getting input from the School Department and School Committee regarding High School Unification. Ms. Spengler explained that more information is needed to make an informed decision regarding a Unified High School.

Councillor Rodrigues noted that Mr. Haggis was the only resident to speak in support of a Unified High School referendum. Mr. Rodrigues explained that more information is needed regarding High School unification and noted issues with schools which are currently regionalized in Rhode Island.

Discussion centered around the history of the regionalization topic, the Newport Daily News Regional High School Survey, RIPEC report, deadline for November 2014 ballot questions, more information needed to educate voters on the topic of a Unified High School, six months for the Unified High School Committee to produce information to the voters, RI State Law regarding Regionalization, the need to know how residents feel regarding the topic of High School Unification and public forums to educate residents on High School Regionalization.

On motion of Councillor Adams, duly seconded, it was voted to place on the November 2014 ballot the question, “Should Newport and Middletown join to establish a unified high school?” and ask the Town Solicitor to properly phrase the question, Vice President Sylvia, Councillor Rodrigues and Councillor Santos voted NO to said motion.

40. Memorandum of Vice President Sylvia, re: School Regionalization – Unified High School Exploratory Committee.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said memorandum.

Kate Brennan, 206 Reservoir Road, noted confusion that the question regarding High School Unification will be placed on the November 2014 ballot and she has no information to make an educated vote. Ms. Brennan expressed concern that the Council is not hearing what the residents are saying in opposition to a Unified High School.

Councillor VonVillas noted that the Unified High School Exploratory Committee has six months to present information to the residents.

Carol Cummings, 738 Indian Avenue, addressed the Council noting that she has not heard anything positive regarding High School Unification.

Antone Viveiros, 110 Indian Hill Road, addressed the Council noting the history of the high school unification topic. Mr. Viveiros suggested that residents review RIGL Title 16-3 regarding regionalizing school districts.

Theresa Spengler, 1111 Wapping Road, noted concern that the Council is not listening to the residents, who are in opposition to School Regionalization. Ms. Spengler explained that more information is needed to make an informed decision regarding a Unified High School.

John Haggis, 21 Bartlett Road, noted that he has heard good arguments against unification and the question will provide opportunity for people to express their opinion.

Annie Tatirosian, 4 Bartlett Road, addressed the Council noting concern with no data regarding a Unified High School. Mrs. Tatirosian reviewed the survey conducted by the Newport Daily News to disband the Unified High School Exploratory Committee.

Councillor Santos expressed concern that the Unified High School ballot question did not state that the question is non-binding.

Town Solicitor Michael Miller explained that the question will clearly state non-binding.

On motion of Councillor Long (who voted in the affirmative), duly

seconded, it was voted to reconsider item #39; Vice President Sylvia, Councillor Rodrigues and Councillor Santos voted NO to said motion.

Town Solicitor Michael Miller noted :

The voters of Middletown are asked to vote on the following non-binding question:

“Should Newport and Middletown join to establish a unified high school?

This question is non-binding.”

On motion of Councillor Adams, duly seconded, it was voted to place the question “Should Newport and Middletown join together”? This is a non-binding question, Vice President Sylvia, Councillor Rodrigues and Councillor Santos voted NO to said motion.

On motion of Vice President Sylvia, duly seconded, it was voted to table the Unified High School Exploratory Committee

Carmella Geer, 10 Wood Road, addressed the Council noting concern that the question regarding a Unified High School is being placed on the ballot and if the committee is disbanded no information regarding a Unified High School would be provided.

William O'Connell, 18 Continental Drive, explained that the Unified High School Exploratory Committee does not have enough information, at this time to discuss the pros and cons of a Unified High School.

Mike Kehew, 61 Indian Hill Circle, questioned if Newport was going to have the same non-binding referendum on their ballot.

Councillor Long noted that he would not support the question to be placed on the ballot, if Newport is not doing the same.

Council vote was taken at this time for the motion above, repeated here:

On motion of Vice President Sylvia, duly seconded, it was voted to table the Unified High School Exploratory Committee, Vice President Sylvia, Councillor Rodrigues and Councillor Santos voted YES; Council President Semonelli, Councillor Adams, Councillor Long and Councillor VonVillas voted NO; MOTION FAILED TO PASS.

Item #41 was addressed after item #5.

41. At the request of Vice President Sylvia, Resolution of the Council, re: Middletown High School recognition of Outstanding Academic Achievement.

On motion of Council President Semonelli, duly seconded, it was voted unanimously to pass said resolution.

Vice President Sylvia presented the resolution above to Members of the School Committee, the School Administration and students.

School Committee Chair Theresa Spengler thanked all for recognition and support.

TOWN ADMINISTRATOR

42. Memorandum of Finance Director, thru Town Administrator, re: Solid Waste and Recycling Services Agreement – RIRRC FY2015-FY2017.

Town Administrator Shawn Brown reviewed the memorandum, entered

here:

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said memorandum.

43. Resolution of the Council, re: Approving agreement with the Rhode Island Resource Recovery Corporation for FY2015-FY2017.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to pass said resolution.

EXECUTIVE SESSION

44. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Collective Bargaining (IBPO Local 534, IAFF Fire, NEARI Town Hall and Teamsters DPW Unions), (5) Lease (Joel Peckham/Berkeley Peckham School) and (5) Lease (JFK School).

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to recess open session and reconvene in executive session at 11:20 pm.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to recess executive session and reconvene in open session at 12:10 a.m.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to seal the executive session minutes pursuant to Section 42-46-7. RIGL.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to adjourn said meeting at 12:15 a.m.

Wendy J.W. Marshall, CMC

Council Clerk

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